Docket No. 388402000900

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 28

Kérry Keehan

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of:

Barry N. GARDINER et al.

Serial No.:

08/781,579

Filing Date:

January 9, 1997

For:

SUTURED STAPLE SURGICAL

FASTENERS, INSTRUMENTS AND METHODS FOR MINIMALLY

INVASIVE VASCULAR AND **ENDOSCOPIC SURGERY** 

Examiner: Tina T.D. Pham

Group Art Unit: 3731

RECEIVED

NOV 0 5 1999 Group 3700

## AMENDMENT TRANSMITTAL

**Assistant Commissioner for Patents** Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an Amendment in response to the Office Action dated August 10, 1999 in the above-referenced patent application:

- No additional Claim fee is required. ×
- Other enclosures: Return receipt postcard. ×

The fee (if any) has been calculated as follows:

FOR P	CLAIMS ONFILE AFTER THIS AMENDMENT MINUS HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBEREXIRA	RATE	CALCULATIONS
TOTAL CLAIMS	38-66	0	x \$18.00	\$0.00
INDEPENDENT CLAIMS	11-18	0	x \$78.00	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if not previously paid for and presented for the first time) * + \$260.00				\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$0.00
Reduction by ½ for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).				\$0.00
and the second s	A STATE OF THE STA	A Company of the Company	SUB TOTAL =	\$0.00
Petition for Extension of Time				\$435.00
			TOTAL =	\$435.00

- A check in the amount of \$435.00 is attached.
- Please charge \$435.00 to **Deposit Account No. 03-1952** referencing docket no. 388402000900.
- The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952** referencing docket no. 388402000900.

Respectfully submitted,

Dated: October <u>28</u>, 1999

By:

Jingming (Jim) Cai

Registration No. P-44,579

Morrison & Foerster LLP 755 Page Mill Road

Palo Alto, California 94304-1018

Telephone: (650) 813-5777 Facsimile: (650) 494-0792